

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

SHAWN DRUMGOLD,  
Plaintiff

V.

TIMOTHY CALLAHAN, FRANCIS  
M. ROACHE, PAUL MURPHY,  
RICHARD WALSH and THE CITY  
OF BOSTON,  
Defendants

04-CV-11193-NG

**ASSENTED TO MOTION FOR LEAVE TO ENLARGE TIME TO FILE**  
**ANSWERS OR DISPOSITIVE PLEADINGS**

Now come the defendants, Francis M. Roache and the City of Boston, parties in the above-entitled civil action through their counsel pursuant to F.R.C.P. Rule 6(b)(1) and hereby request that this Honorable Court grant leave to file Answers of Defendants Francis M. Roache and the City of Boston until December 1, 2004.

As grounds for this motion, the Defendants state as follows:

1. That counsel for the above-referenced Defendants have only recently been retained;
2. That Defendants Roache and the City of Boston need the additional time to investigate properly the allegations made by the Plaintiff in his Complaint prior to filing their responsive pleadings with the Court;
3. That if this Honorable Court were to allow Plaintiff's outstanding motion for an enlargement of time within which to serve Defendants Murphy, Callahan and Walsh to December 1, 2004, it is unlikely Plaintiff would in any way be prejudiced by the granting

of a similar allowance to Defendants Roache and the City of Boston for the filing of their responsive pleadings.

4. That to the best of the Defendants' knowledge, Defendant Richard Walsh is retired; and, that the location of his current residence remains unascertained;

5. That to the best of the Defendants' knowledge, Defendant Paul Murphy is deceased;

6. That to the best of the Defendants' knowledge, Defendant Timothy Callahan continues to be unavailable as he remains deployed abroad in the service of the armed forces of the United States in the operational theater of Afghanistan.

7. That this request is both reasonable and necessary in order for the Defendants Roache and the City of Boston to respond to the Plaintiff's allegations in their Answers.

8. That Plaintiff's counsel has assented counsel has assented to this Motion.

WHEREFORE, the parties respectfully request this Honorable Court enlarge the time in which Defendants the City of Boston and Francis M. Roache must file their Answers in this matter from September 30, 2004 and October 10, 2004 respectively to December 1, 2004.

Assented to by,

Plaintiff, Shawn Drumgold  
By his attorneys,

//S//Stephen Hrones  
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Hrones and Garrity  
Lewis Wharf – Bay 232  
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Respectfully submitted,

Defendants, the City of Boston and  
Francis M. Roache  
By their attorneys,

//S//John P. Roache  
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//S//Rosemary Curran Scappicchio  
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Dated: September 29, 2004

**DEFENDANTS' CERTIFICATION PURSUANT TO  
LOCAL RULE 7.1(A)(2)**

I hereby certify, pursuant to Local Rule 7.1(A)(2), that counsel for the Defendants, the City of Boston and Francis M. Roache, has conferred with Stephen Hrones, counsel for the Plaintiff in the above-entitled action, in a good faith attempt to resolve or narrow the issues raised by the instant motions, and that counsel for the Plaintiff has no opposition to the within motion.

//S//Patrick J. Donnelly  
Patrick J. Donnelly, BBO#651113